

Attorney Docket No. 010124C1

REMARKS

1. Claims 1, 3, 4, 6-8, 11-20, 22, 38, 40, 41, and 45-51 were pending in the present application. The Examiner rejected Claims 1, 3, 4, 8, 11-13, 18, 22, 38, 41, 45, and 47-51.

2. In light of the remarks provided below, reconsideration of the application and allowance of all claims as currently presented is respectfully requested.

3. Claim 1 is rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicant amends claim 1 to define first and second authorized users, in accordance with the applicant's remarks filed on Dec. 1, 2004, on page 8, last paragraph, which cite support for the present amendment in the present specification.

4. Claims 1, 3, 4, 8, 11 12, 13, 18, 22, 38, 41, 45 and 47-51 are rejected under 35 U.S.C 102(e) as being anticipated by Tanaka (6,819,919). Claims 1, 3, 4, 8, 11 12, 13, 18, 22, 38, 41, 45 and 47-51 are rejected under 35 U.S.C 102(a) as being anticipated by Cao et al (6,529,136). Claims 6, 7, 14-17, 19, 20, 40 and 46 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The applicant amends independent claim 1 to include the limitations of dependent claim 6, which the examiner objected to, and cancels dependent claim 6. Therefore, independent claim 1 and its dependent claims 3, 4, 7, 8, 11, 12, and 45-51 are now in a condition for allowance.

The applicant amends independent claim 13 to include the limitations of dependent claim 14, which the examiner objected to, and cancels dependent claim 14. Therefore, independent claim 13 and its dependent claims 15-20 and 22 are now in a condition for allowance.

The applicant amends independent claim 38 to include the limitations of dependent claim 40, which the examiner objected to, and cancels dependent claim 40. Therefore, claim 38 is now in a condition for allowance.

The applicant amends independent claim 41 to include limitations similar to those found in dependent claims 6, 14, and 40, which the examiner objected to, because there was no similar claim dependent on claim 41 that was listed in the claims. Therefore, independent claim 41 is now in a condition for allowance.

Attorney Docket No. 010124C1

6. The applicant amends dependent claims 3, 7, 8, 11, 12, 15-17, 19, and 45, which depend on claim 1, to provide proper antecedent basis and claim dependency, according to the amendments made to independent claims 1 and 13 and the cancellation of claims 6 and 14.

7. The applicant further distinguishes claim 1 over Tanaka and/or Cao, et al at least by the claimed limitation "monitoring the second authorized user's location."

Tanka discloses at col. 5, lines 65-67: "access control features to assign read/write privileges to other users or groups of users." However, Tanka does not teach or suggest that a system monitors the location of the "other users or groups of users" that have the read/write privileges.

Cao, et al discloses at col. 7, lines 43-49: "A user/group manager 425 manages the profile database 430. It updates the records for the user. The user may have permission to set his or her profile over the Internet using his or her user wireless module 200. Alternatively, only a system administrator of the group location alert server 400, with an executive privilege, may change the profile database 430 containing information about the clients and the user wireless modules 200, 300." However, Cao, et al does not teach or suggest that a system monitors the location of the "user/group manager 425" or the "system administrator."

Therefore, claim 1 is in a condition for allowance over Tanaka and/or Cao, et al.

8. The applicant adds new independent claim 53, which is a combination of:
- a) previously presented claim 1, amended to overcome the examiner's rejection under 35 U.S.C 112, second paragraph, as described above,
 - b) dependent claim 45 on claim 1, which is rejected by the examiner, and
 - c) dependent claim 46 on claim 45, which is objected to by the examiner.

New independent claim 53 includes the limitation: "receiving information from a first authorized user via a refrigerator appliance," as recited in dependent claims 45 and 46. Therefore, claim 53 is in a condition for allowance. Note that independent claim 1 and dependent claims 45 and 46 are not cancelled with the addition of new claim 53 because claims 1, 45, and 46 are allowable for other reasons recited by the examiner, as described above.

9. The applicant has not added any new matter in any of the amended or new claims.

10. In light of the foregoing, the Examiner's reconsideration of this application with a view toward allowance is respectfully requested. The Examiner is invited to call the undersigned agent if a telephone call could help solve any remaining items.

Attorney Docket No. 010124C1

11. Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

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